

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
Unlicensed Use of the 6 GHz Band	)	ET Docket No. 18-295
Expanding Flexible Use in Mid-Band Spectrum	)	
Between 3.7 and 24 GHz	)	GN Docket No. 17-183
To: The Commission		

**COMMENTS OF THE NATIONAL TRANSLATOR ASSOCIATION**

The National Translator Association (“NTA”) here submits comments on the Commission's proposals to permit unlicensed users in the 5.925-7.125 GHz (6 GHz) band. NTA is a non-profit membership association that, for more than 40 years, advocates access to free over-the-air television broadcast services to all the people of the United States. Specifically we speak out, where we can, on behalf of those remote, rural localities in which TV translators, secondary and licensed under Pat 74 of the rules, are the only means of television broadcast delivery.

In concept NTA support all Government initiatives that are fostering new and better means of high-speed broadband delivery. We note that the rural areas that are underserved by broadband today are the same rural areas that historically were neglected in the development of local TV broadcast delivery. Particularly in the inter-mountain West from the Continental Divide to the Cascade and Pacific Coast Ranges, these location have been and remain dependent for television broadcast service by TV translators. Numerous translator services rely on the 6 MHz band for signal delivery, from point-to-point microwave, domestic communication satellites and from other sources. With the repack of the television bands, these needs have only become more acute. Required to move onto new channels, some TV translators previously able to rebroadcast in series will need to employ microwave. Because the displacement re-build is still in progress, there is not a static spectrum environment onto which new services can be grafted easily.

As NTA analyzes the proposal, we have been unable to get past what would appear to be a dilemma in the basic assumptions. If new unlicensed services do not enter the picture in large numbers, or do not introduce widespread, robust new services, the reallocation will not have the intended effect or public benefit. But if, on the other hand, new unlicensed users proliferate and deliver an important new stream of options, they will inevitably cause congestion and create some degree of destructive interference. Protocols for interference detection and prevention can mitigate this effect but in a crowded spectrum they cannot eliminate it. This is true especially with unlicensed devices, which in their nature can make the sources of interference difficult to locate.

We do not pretend to be able to peer into the future and say which of these scenarios is the more likely. But either way, the desired public benefit may be illusory.<sup>1</sup> If the 6 MHz band does not attract strong new wireless entrants, the initiative nevertheless will entail cost and complexity for all incumbents, through additional reporting of existing services and by new interference detection. But if the wireless users rush into this band, interference is sure to follow, and the new entrants will be back to the Commission with their relentless *ex parte* communications, advocating the sunset of incumbent services. In many cases, the incumbents have few alternatives for program delivery.

The Notice herein acknowledges that information on record about incumbent users, in ULS or elsewhere, may contain gaps and errors, Notice, para. 39. We agree that the Commission should not be imposing new mandatory information collection requirements, a form of unfunded Federal mandate, *Id.* But previously the Commission did impose such a requirement, for registration of satellite receive-only terminals, including a registration fee. If there are discrepancies in the registration records, incumbents should have the opportunity to correct them without charge and receive protection, whether before or after new interference is detected.

NTA would prefer that unlicensed uses be the subject of detailed pilot program tests for each

---

<sup>1</sup> Similarly, the Commission should exercise caution in assuming an insatiable straight-line increase in wireless broadband demand far into the future, see Notice, paras. 4 through 7.

band sought to be utilized. But if the decision is to proceed full steam across all the proposed band, we urge that conservative models and interference criteria be employed, until more I known. It will always be easier to relax rigorous service rules later on, as opposed to limiting the scope of permission previously granted.

Finally NTA cautions that the Congressional directive to free up new spectrum for broadband (Notice, para. 18) be understood in the spirit in which it was adopted. The ambitious targets of at least 225 MHz new for mobile and fixed wireless broadband use and 100 MHz new below the frequency of 8000 MHz for unlicensed use should be applied and interpreted based on actual delivery of new high-speed broadband. A re-allotment that sits idle because the market place already has superior bands for service delivery will serve no one. The introduction of new unlicensed technology in the 6 Mhz band may encounter many unforeseen complexities, recognizing that incumbent uses must continue and must be protected. The Congressional directive will be be served best by priority use of spectrum that (a) currently is vacant or but very lightly used; and (b) for which the usable wireless technology is readily available and capable of scaling up quickly. From this standpoint, and even acknowledging that time is of the essence, the 6 MHz bands may not be the first place to start.

Respectfully submitted,

NATIONAL TRANSLATOR ASSOCIATION

By: /s/ John Terrill  
John Terrill, President

By: /s/ Michael Couzens  
Michael Couzens, Vice President, Legal

Michael Couzens Law Office  
6536 Telegraph Avenue, Suite B201  
Oakland, CA 94609

Tel. (510) 658-7654  
[cuz@well.com](mailto:cuz@well.com)

February 15, 2019